

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION

JERRY LEE WARNER

PLAINTIFF

VS.

CIVIL ACTION NO. 3:18CV190TSL-RHW

ANDY LEDBETTER, INDIVIDUALLY

DEFENDANT

ORDER

This cause is before the court on the report and recommendation of Magistrate Judge Robert H. Walker entered on May 9, 2018, recommending that plaintiff's motion to remand be denied. Plaintiff has filed an objection. Having reviewed the report and recommendation and plaintiff's objection, the court concludes that the objection<sup>1</sup> is overruled and hereby adopts, as its own opinion, the magistrate judge's report and recommendation.

Based on the foregoing, it is ordered that the report and recommendation of United States Magistrate Robert H. Walker entered on May 9, 2018, be, and the same is hereby, adopted as the finding of this court. Accordingly, it is further ordered that plaintiff's motion to remand is denied.

SO ORDERED this 26th day of June, 2018.

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<sup>1</sup> Contrary to plaintiff's assertion otherwise, it is clear to the court that by his complaint, plaintiff has not purported to limit his claims for relief to those brought pursuant to the Mississippi Constitution. Rather, he asserts both the state and federal constitutions as bases for relief. This fact is most clearly seen with reference to the "Count (3) Conspiracy" on pages six through eight of the complaint.

/s/ Tom S. Lee  
UNITED STATES DISTRICT JUDGE